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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,901	02/11/2002	Koichi Watanabe	016907-1373	3551

22428 7590 10/20/2006

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EXAMINER

LEE, CHEUKFAN

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/068,901	Applicant(s) WATANABE, KOICHI	
	Examiner Cheukfan Lee	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
4a) Of the above claim(s) 4-9 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/11/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Applicant's election without traverse of Group 1, claims 1-3 in the reply filed on April 24, 2006 is acknowledged.

Non-elected claims 4-9 are withdrawn from consideration.

2. Applicant is reminded that a complete reply to a final rejection must include cancellation of the nonelected claims 4-9 or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

3. This application is in condition for allowance except for the following formal matters:

Fig. 4 should be labeled with – PRIOR ART – because Fig. 4 is prior art according to page 28, lines 12+.

Non-elected claims 4-9 should be canceled.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

4. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the prior art of record because the closest prior art Yaguchi et al. (U.S. Patent No. 5,889,596), cited in section 5 below, does not disclose a

storage section which stores image data read by the reading section, and from which the image data is read out and is subject to the compression/encoding process, and which stores a result of the encoding process, as claimed in claim 1, although Yaguchi et al. discloses that "when the document sheets are sequentially read by using the document feeder, the feeding and the reading of the next document sheet can be controlled prior to the completion of the compression, so that the high efficiency reading and compression are attained" (col. 8, lines 11-15).

Yaguchi et al. discloses an image reading apparatus (image processing apparatus, Figs. 1-4) comprising a feed section (feed unit 1 in Fig. 1) which feeds originals one by one (col. 4, lines 25-28), a reading section (4) which reads an image on an original fed from the feed section (1) (col. 4, lines 29-35), a storage section (page memory 40 in Fig. 4) which stores image data read by the reading section (4), a first control section (1021 in Fig. 2) which executes a control to feed the next original from the feed section (1), when the image data of the original has been stored in the storage section (page memory 40) and in the condition that the predicted value of the predicted compressed data amount is less than or equal to the remaining capacity of a memory unit (44 of 35 of 1023) for storing compressed value, the same image data of the original being supplied to the storage section (40) and prediction unit (46 in Fig. 4), and a second control (1023) which executes a control to read out the image data from the storage section (40) and subject the read-out data to an encoding process (by compression unit 43 of 35 of 1023, Figs. 2-4), in parallel with the control by the first control section (1021), and to store a result of the encoding process in the memory unit

(44), not in the storage section (page memory 40). See first embodiment, Figs. 1-7, col. 4, line 20 – col. 8, line 26, note col. 8, lines 11-15. That means, Yaguchi et al. stores the result of the encoding process in a storage section (44) other than the storage section (40) from which image data subject to encoding is read out. Although Yaguchi et al. also discloses a second embodiment in which a memory of a large capacity, i.e., the printer buffer memory (PBM 65), is employed (col. 8, lines 27+, Figs. 8+), the PBM is for storing compressed image data, not image data to be read out to be compressed. The image data to be compressed are stored in page memories (19 and 20).

Claims 2 and 3 depend on claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yaguchi et al. (U.S. Patent No. 5,889,596), "Controlling a reading unit of an image processing apparatus", note col. 8, lines 11-15, Figs. 1-7

Watanabe et al. (U.S. Patent No. 5,815,283), "Image forming apparatus", Fig.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
October 6, 2006